

SESSION OF 2002

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2933**

As Amended by Senate Committee on  
Judiciary

**Brief\***

HB 2933 expands the Kansas drug screening program. Drug screening covers two types of testing. The first is for pre-employment purposes for safety sensitive positions. The second type of drug testing is based on reasonable suspicion.

Current law regarding safety sensitive positions for pre-employment testing includes the following:

- ! State law enforcement officers who are authorized to carry firearms;
- ! State corrections officers
- ! Juvenile correctional facility staff;
- ! Heads of state agencies who are appointed by the Governor and employees on the Governor's staff.

The bill would expand safety sensitive positions for pre-employment testing to include the following:

- ! All employees with access to secure facilities of correctional institutions;
- ! All employees with access to a juvenile correctional facility;
- ! State parole officers;
- ! All employees in an institution of mental health who provide clinical, therapeutic, or rehabilitative services to clients and patients.

Current law regarding employees who could be tested under reasonable suspicion includes the following:

---

\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org/cgi-bin/fulltext/bills.cgi>

- ! All persons employed within a correctional institution;
- ! All persons employed within a juvenile correctional facility.

The bill would expand those employees who could be tested under reasonable suspicion to include the following:

- ! All employees of institutions of mental health;
- ! Employees of the Kansas State School for the Blind;
- ! Employees of the Kansas State School for the Deaf;
- ! Employees of the State Veterans Home operated by the Kansas Commission on Veterans Affairs.

The Senate Committee deleted coverage of Regents employees who provide clinical, psychological, or therapeutic services to students or staff from the safety sensitive employees for pre-employment testing.

## **Background**

Those appearing in support of the bill included conferees representing the Division of Personnel Services in the Department of Administration, the Department of Corrections, and the Department of Social and Rehabilitation Services. The conferee from the Kansas Association of Public Employees appeared but did not oppose the provisions of the bill.

The fiscal note indicates that the cost for an initial drug screen is \$28.75. If a test is positive, there would be an additional cost of \$3.75 for a review. If the bill had been in effect last year, the total fiscal effect would have been \$15,352 for initial screening. Determination of an exact amount is not possible at this time.

A representative of the University of Kansas requested the Senate Committee amendment to allow Regents institutions time to study the issue and better determine which employees should be subject to testing.